

EXHIBIT “D”

Public School 23

Paul Proscia, Principal

Renée Mazza, Assistant Principal

The Richmondtown School

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"We are Learners, We are Leaders, We are the Richmondtown Eagles"

February 9, 2018

Michele Valvo
Paraprofessional
File #2572842
OSI Case # **18-00754X**

Dear Ms. Valvo:

On February 2, 2018, I met with you, your union representative John Torres and Assistant Principal Renee Mazza at the Petrides Education Complex to discuss allegations that were made against you by School Aide, Corinne Stimus and an anonymous parent.

Specifically, on Thursday, January 25, 2018, at approximately 3 PM, Parent Coordinator Janie Swincicki received a call from a parent who refused to give her name or her child's name and reported that her child came home and told her that while in the cafeteria, a paraprofessional was holding a child by the arm, grabbed and yanked his arms, wrapped her arms around him and spun him around and pulled him to get him to sit in his seat. When I returned back from my Principal's conference at 3:10 PM the same day, Ms. Swincicki informed me about what the anonymous parent reported to her. At approximately 3:15 PM on January 25, 2018 (same day) School Aide, Corinne Stimus, came to me visibly crying and upset. She reported that on January 25, 2018 at approximately 11:20 AM (the beginning of 5th period lunch) while she stood at the POS terminal in the student cafeteria, she saw you walk Connor Cavanagh (a mostly nonverbal student with Autism) to the lunch table. You were holding his right arm up over his head and you forcibly pushed him down to sit at the lunch table. She then looked at the other school aides and paraprofessionals present at the time in shock. She went on to state that she was horrified by what she saw and said she has never seen anyone treat a child this way before.

When we met on February 2, 2018 with your union representative, I shared with you the specific allegations made against you as stated above. You were offered the opportunity to hear the anonymous parent's allegation and the School Aide's allegations. You were advised by your union representative John Torres to decline to sign the privacy acknowledgement statement and view the witness statements in redacted form (**Attachment 2**). At your request, we took a break to allow you to meet with your union representative in a private room. Upon your return, your union representative stated that you would be declining the opportunity to make an oral statement, but instead would write your account of the story in an official statement. In your written statement (**Attachment 1**), you responded to the allegations by stating:

"On January 25, as we were going to the lunchroom, C [REDACTED] (C [REDACTED]) became extremely upset when his para went back to the classroom to get his coat without him. He was refusing to leave the stairwell. That is when I stepped in and said, "Come on C [REDACTED], hurry up before Ms. MacDonald leaves us behind". I held his arm and proceeded to the lunchroom speaking to him, telling him to calm down, and that this is not good behavior. Once we got to the table I said, "You need to sit down and calm down so we can talk and I can help you". That is when he pulled his arms up and he was still yelling, screaming and crying. He finally sat down and I said, "Ok, now turn around and put your legs under that table so we can talk". I was sitting next to him and guided his legs under the table with ease. I was not harming this child. There is no way I would harm him or any other child for that matter."

As part of this investigation, students and staff were interviewed and provided oral and written statements. The two Kindergarten special needs students from the class that you are assigned to and C [REDACTED] is in, both stated that they heard C [REDACTED] yelling and screaming, but did not elaborate with any further details. Alleged victim Kindergarten student, C [REDACTED] C [REDACTED], who is Autistic and mostly nonverbal, stated "Miss Michele hit me. Made me sad. In the cafeteria. She hit me. In my back. I cried." C [REDACTED] demonstrated how you hit him in his lower back with your leg and hand.

School Aide, Corinne Stimus, stated in her written statement, "On Thursday, January 25, 2018 at 11:20 AM, which is the beginning of the first lunch period, I was at the POS terminal checking in the students for hot lunch when I saw Ms. Valvo walking C [REDACTED] to the lunch table. She was holding his right arm up by his wrist and when she got to the table, she forcibly pushed him down to sit. I looked at the other School Aides and Paras in shock. It was very disturbing to see that. It affected me through the day and night."

School Aide, Michelle Murphy, stated in a written statement, "I heard someone crying and someone yelling. When I looked over, I saw a paraprofessional (referring to you) yelling at the child (referring to C [REDACTED]) to sit down and she (referring to you) put her hands on him to make him sit down. I turned to another paraprofessional (referring to Paraprofessional Racquel) who also was looking at what was happening. We were extremely upset and disturbed." School Aide, Gina Parrotta, wrote, "On January 25th at 11:15, first lunch period, I witnessed Michele Valvo yelling in a very loud tone at a child named C [REDACTED]. She (referring to you), took his legs and shoved them under the lunchroom table while continuing to yell at him. The child placed his hands over his ears and cried. I felt upset by the manner in which she was yelling at the child. I looked around at the other adults in the room to see if anyone else witnessed what I did and by the looks on their faces, I can tell they had." Paraprofessional, Racquel Sulsenti's written statement, stated, "I witnessed Michele Valvo holding C [REDACTED] as they walked into the cafeteria. She had his arms over his head standing behind him pushing him toward the lunchroom table. C [REDACTED] was upset and crying. Michele was annoyed, yelling at him to "Come on, come on". Paraprofessional Domenica Nardone stated in her written statement, "I heard a child screaming. I turned around to see who it was and saw Michele Valvo holding C [REDACTED]'s wrist and had her other hand on his back, pushing him along. C [REDACTED] was screaming and Michele screamed back at him, "I don't care what you want, you are going."

Based on our meeting on February 2, 2018, a review of the allegations made against you, my review of the written and verbal statements provided to me by the victim and the five adult witnesses, and your written statement at the disciplinary conference on February 2, 2018, I conclude that on January 25, 2018, you violated Chancellor's Regulations A-420 and A-421 when you yelled and screamed at a mostly nonverbal student with Autism (C [REDACTED]), pulled him by his arm, forcibly pushed him into the seat at the lunch table and then shoved his legs under the table and continued to belittle and embarrass him by yelling and screaming at him in an aggressive and angry tone of voice. Your actions made a spectacle of C [REDACTED] in front of other students and staff.

Chancellor's Regulation A-420 prohibits the use of corporal punishment and Chancellor's Regulation A-421 prohibits verbal abuse. Chancellor's Regulation A-420 defines corporal punishment as *"any act of physical force upon a pupil for the purpose of punishing pupil"* and Chancellor's Regulation A-421 verbal abuse is defined as

“language (written or oral) about or directed toward students that: 1. belittles, embarrasses or subjects students to ridicule; or 2. has or would have the effect of unreasonable and substantially interfering with a student’s educational performance or ability to participate in or benefit from an educational program, school-sponsored activity or any other aspect of a student’s education; or 3. has or would have the effect of unreasonably and substantially interfering with a student’s mental, emotional, or physical well-being; or 4. Reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety; or 5. reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student.”

As you are aware, you have received five (5) letters to file from 2012-2018. This is the 6th substantiated incident that has resulted in a letter. Please refer to **Attachment 3** and the corresponding documentation for a comprehensive listing of all the documented incidents you have been accused of and the letters you have received.

- **Professional Misconduct/Theft of Service-** Substantiated, letter dated 11/20/2012 by Principal, Frank Campagna- - Doing personal homework while on duty, making services to children unavailable; frequently leaves classroom without permission
- **Violation of Chancellor’s Regulation C-604-** Substantiated, letter dated August 9, 2012 by Summer School Supervisor Annette Moncado- *Instructing other staff members to punch time card during Summer School, a per session activity.*
- **Verbal Abuse-** Substantiated, letter to file dated January 3, 2017- Yelled at student in an angry/aggressive manner.
- **Poor Judgment-** Substantiated, letter to file dated June 14, 2018- On a personal cell phone in the student Cafeteria without authorization and observed doing so by the Principal.
- **Failure to Supervise 1 to 1 Assigned Student During Dismissal-** Letter dated January 5, 2018- Assigned 1 to 1 Autistic student walked out of the school to his mother during dismissal and you were unaware he was missing because you were distracted by having a personal conversation with another adult unrelated to school business. Thankfully, the student was unharmed.

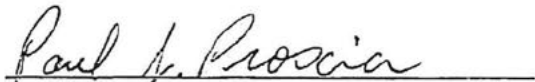
Furthermore, you have attended at least five (5) Leader In Me trainings, a Social Emotional Learning program that teaches staff and students ways to self-regulate and be in charge of their own emotions and actions, acting in ways of good leaders (kind, caring, thoughtful). Over the years, you have been sent out to participate in Therapeutic Crisis Intervention Training (TCIT) on two different occasions (see **Attachments 4A and 4b**), which also teaches self-regulation strategies to ensure that we, as educators, learn to deescalate situations and not escalate them. We have been recognized as a Leader In Me Lighthouse School of Academic Distinction for our ability to promote an environment where staff and students model good leadership language and behaviors consistently by demonstrating good manners, respect for others, and an ability to follow rules. This is highlighted in our annual Professional Handbook (**Attachment 5**) and the classroom Win-Win agreement (**Attachment 6**). As your employment record clearly indicates, you have failed to utilize strategies you were exposed to during all of the trainings you have attended with consistency over the years of your employment. As discussed on numerous occasions, it is your responsibility to act appropriately and according to the rules and expectations of our school. Your actions have shown a failure to create a safe and secure environment where students and staff feel safe to teach and learn.

I also note that at the beginning of the year, on September 7, 2017, we reviewed our Faculty Handbook, which includes important Chancellor's Regulations like Chancellor's Regulation A-420 and A-421. You were present at that meeting and received the handbook on this date (see **Attachment 7- Faculty Conference School Year 2017-2018, sections O-Q**).

Moreover, through the years, we have met during 5 different disciplinary conferences and at each we have discussed at length the importance of managing your frustrations, being self-reflective, being more aware of the way you act and speak to children, the tone of your voice used, and the fact that you need to ensure that your actions don't intimidate and make children fearful to come to school. Your actions in this case were unacceptable, and will not be tolerated.

Based on the above and after giving due consideration to the matter, you are hereby terminated effective close of business on February 13, 2018.

Sincerely,



Paul Prosca
Principal of PS 23 – The Richmondtown School

I have received this letter and understand that a copy will be placed in my Official Personnel File.

Signature

Date

Witness Signature

Date